	Application No.	Applicant(s)
Notice of Allowability	09/842,899	RAHMAN ET AL.
	Examiner	Art Unit	
	Sharad Rampuria	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *01/24/2008*.

2. ☒ The allowed claim(s) is/are *1, 3, and 34-41 (renumbered as 1-10 respectively)* .

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

         International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

      Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
    Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
    of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
    Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

3DETAILED ACTION

Examiner's Amendment

I. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Scott Elchert and Jared Scholz (Reg. No. 55,149) on 2/14/08.

The application has been amended as follows:

Claims 2 and 42 are cancelled.

1. (Currently Amended) A system of billing in a user configurable wireless network, comprising:

a base station controller to establish and maintain communication between a wireless unit and the wireless network;

a home location register in operative communication with the base Station controller to support applications and services;

a service data node module in direct operative communication with the base station controller and the home location register to coordinate the applications and services supported by the home location register, the service data node module storing ~~at least one of~~ user information, service

information, and network information, wherein the service data module associates the user

information and the service information with the network information, and ~~the service node~~

~~module allowing~~ allows the user to implement service creation and service negotiation without

service provider intervention, the service data node module including a database to store quality

of services, a dynamic billing information processor in operative communication with the

database, to determine actual use of a service on a call-by-call or session-by-session basis; and a

radius accounting server in operative communication with the dynamic billing information

processor to correlate the determined actual use from the dynamic billing information processor;

and

a billing manager in operative communication with the service data node module, to bill the user

based on the user implemented service creation and service negotiation.

34. (Currently Amended) A method of billing in a wireless network communications

system, the method comprising:

establishing a service data node module in the wireless network, the service data node

storing ~~at least one of~~ user information, service information, and network information in a

database;

associating the user information and the service information with the network information;

providing services into the service data node module;

determining actual use of a service on a call-by-call or session-by-session bases through a

dynamic billing information processor in operative communication with the database; and

correlating the determined actual use through a radius accounting service in operative

communication with the dynamic billing information process;

allowing a user to select a service by accessing the service data node module without service

provider intervention; and

billing the user based on the selected service.

Allowable Subject Matter

II.   The following is an examiner's statement of reasons for allowance:

Claims 2, 4-33, and 42 are cancelled.

Claims 1, 3, and 34-41 (renumbered as 1-10 respectively) are patentable.

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

The closest prior art, Rahman; Mohamed Anisur et al. (US 7042851 B1) teaches A

system and method employing a processing node having storage capabilities for facilitating

service creation and negotiation in a wireless network, by associating user information and/or

service information with network information. User information, service information, and

network information are provided periodically and dynamically into the storage. Using the

processing node, user information and/or service information are associated with network

information without having to access various network elements located throughout the network,

to facilitate service creation and negotiation, and thus minimize network processing and network

resources. (Abstract)

The next prior art, Billings; Roger E. (US 4714989 A) teaches A functionally structured

distributed data processing system includes a plurality of independently operating user station

processors for servicing users, a data center for storing data to be processed by the user stations,

and a communication network for coupling each user station to one or more data centers. The

data center includes its own processor and mass storage devices for managing a data base of data

for the user stations. Each user station executes application programs to which is linked a data

base simulator which formulates requests or data operations to calls to the data base at the data

center. Communications between the user stations and the data center are usually initiated only

by the user stations. (Abstract)

The neighboring prior art, Rahman; Mohamed Anisur (US 6061556 A) teaches A method

and system for charging secondary traffic in a radio telecommunications network. The system

includes a mobile switching center (MSC) for delivering a call in the radio telecommunications

network and a radio network control Ler (RNC) for controlling the radio telecommunications

network. The MSC includes a charging unit for calculating a primary traffic charge, a secondary

traffic charge, and a total charge for a call. Additionally, the RNC employs frame structure

counters to assess the amount of secondary traffic carried in the call. The method begins by the

frame structure counters assessing an amount of secondary traffic carried in a call in the radio

telecommunications network. The charging unit then calculates a charge for the secondary traffic

carried by the call. (Abstract)

The adjoining prior art, McGregor; Donald Scott et al. (US 5577100 A) teaches A mobile

phone system with a mobile phone having internal accounting capabilities for real time call

debiting to account for the billing parameters of a mobile phone unit that is operated in a multi

zone communication network with a complex rate structure, the mobile phone unit having an

internal processor with accessible internal memory for storing the accounting program and call

data for each call, a clock and circuit means for activating and deactivating the phone, the

accounting program including an updatable rate table and a complex billing algorithm for

calculating the account status on the fly including multiple rate structure factors such as long

distance calls, international calls with country independent local charges, charges for roaming

per day and/or roaming per minute, and call surcharges, where the account status of the mobile

phone is calculated in real time for decrementing a debit account or calculating an account

charge on demand, the mobile debit phone having a signal for alerting the user of account status

which is preferably a display of real time account status, the mobile phone system including a

communication system for activating and programming a new phone unit over the airways and

upgrading the account status in rate table in the phone unit over the airways. (Abstract)

However, all the above combination fails to anticipate or render the above limitations in

combination with all the recited limitations of the disclosed independent claims obvious (**viewed

as a whole**), over any of the prior art of record, alone or in combination.

Consequently, the disclosed independent claims are allowed on behalf of above-discussed

reasons, and also preserved via Applicants arguments and remarks filed on 01/24/2008 and

2/14/08 as well. Since the disclosed dependent claims are dependant on one of the above

independent claims, therefore they are also patentable.

Conclusion

III.   Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870.

The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000 or

EBC@uspto.gov.

/Sharad Rampuria/
Primary Examiner
Art Unit 2617